

PLAINTIFFS' RESPONSE TO STATE DEFENDANTS'  
MOTION FOR SUMMARY JUDGMENT

EXHIBIT 2

## CONFIDENTIAL - SUBJECT TO DISCOVERY CONFIDENTIALITY ORDER

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**From:** James, Deborah (UIA)  
**Sent:** Wednesday, January 15, 2014 2:14 PM  
**To:** Easton, Susan (UIA); Clarke, Jocelyn (UIA)  
**Cc:** Burton, Bronwyn (UIA); Spicer, Suzanne (UIA)  
**Subject:** RE: Late Certifying issue with Fraud

The misrep issue was not attached to the late certifying, as her response was entered by staff on 11-14-13. Due to her reason for late certifying, the secondary issue of generic availability was opened.

The Availability Generic FF went out on 11-14-13 – the claimant's timeframe for responding was until 11-28-13.

There was no response by 11-28-13, therefore the "no claimant" response was checked and the misrep was added on 12-2-13.

The claimant did not respond to the "generic FF" until 12-5-13 – there is no response from the claimant to the "misrep" fact finding.

On 12-17-13 it closed the Generic Availability which already had the "no response" and there was "no response" to the misrep.

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**From:** Easton, Susan (UIA)  
**Sent:** Monday, December 30, 2013 7:56 AM  
**To:** Clarke, Jocelyn (UIA)  
**Cc:** Burton, Bronwyn (UIA); James, Deborah (UIA); Spicer, Suzanne (UIA)  
**Subject:** RE: Late Certifying issue with Fraud

It appears to be a problem with auto-populating the 'no response'. When the contact method is paper and the time expires without a response checked, the response has to be populated by staff.

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**From:** Clarke, Jocelyn (UIA)  
**Sent:** Thursday, December 26, 2013 3:50 PM  
**To:** Easton, Susan (UIA)  
**Subject:** RE: Late Certifying issue with Fraud

On 12 03 2013 a 1713 re Misrep was mailed to the claimant. MiDAS allowed 14 days to receive a response because the claimant's contact method is paper. Staff cannot get to the 1713's within the allotted time so the determinations are incorrect- Intentional Misrep is being established..

Do you have any suggestions or is this a workflow issue?

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**From:** Williams, Lydia (UIA)  
**Sent:** Thursday, December 26, 2013 2:49 PM  
**To:** Perkins, Mendenia (UIA); Jeurink, Chona (UIA)  
**Cc:** cwamadmin  
**Subject:** RE: Late Certifying issue with Fraud

Herein lies the problem ....if we can't get to the 1713's in a timely manner, which is what happened in this scenario, MiDAS automatically writes fraud. The claimant DID respond to the questions in a timely manner, however, we were unable to input responses before MiDAS issued a determination. Many determinations issued are incorrect due to this same scenario.

CONFIDENTIAL - SUBJECT TO DISCOVERY CONFIDENTIALITY ORDER

**From:** cwamadmin  
**Sent:** Thursday, December 26, 2013 2:44 PM  
**To:** Perkins, Mendena (UIA)  
**Cc:** Jeurink, Chona (UIA); Williams, Lydia (UIA)  
**Subject:** RE: Late Certifying issue with Fraud

Intentional Misrepresentation was established because the claimant did not respond.

STAFF QUESTIONS

Did the claimant respond?

TYPE OF MISREPRESENTATION

**From:** Perkins, Mendena (UIA)  
**Sent:** Wednesday, December 18, 2013 11:37 AM  
**To:** cwamadmin  
**Cc:** Perkins, Mendena (UIA); Jeurink, Chona (UIA); Williams, Lydia (UIA)  
**Subject:** FW: Late Certifying issue with Fraud

*Can you please see the below?*

*Thanks*

*Mendy*

*Mendena Perkins*

*Manager*

*Grand Rapids NJCC*

*Department of Licensing and Regulatory Affairs (LARA)*

*517-241-5961*

**From:** Williams, Lydia (UIA)  
**Sent:** Wednesday, December 18, 2013 11:32 AM  
**To:** Jeurink, Chona (UIA); Perkins, Mendena (UIA)  
**Subject:** Late Certifying issue with Fraud

**[REDACTED], Tamecka Garmon**

The claimant had a late certifying issue, and timely responded to the late certifying questions. She was found ineligible through the overnight batch process but Fraud was also attached to her claim and terminated her benefit year....this is clearly wrong. Can you please inquire as to why MiDAS is doing this as this is not the only claimant who has come in the PRO with this error.

Thank you,

Lydia Williams